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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SKYWEST PILOTS ALPA ORGANIZING	)	CASE No. C-07-2688 CRB
COMMITTEE, <i>et al.</i> ,	)	
	)	<b>PLAINTIFFS' REPLY TO</b>
Plaintiffs,	)	<b>DEFENDANT'S INITIAL</b>
	)	<b>OPPOSITION TO PLAINTIFFS'</b>
vs.	)	<b>APPLICATION FOR ORDER TO</b>
	)	<b>SHOW CAUSE RE: CONTEMPT</b>
SKYWEST AIRLINES, INC.,	)	
	)	Date: June 7, 2007
Defendant.	)	Time: 9:30 a.m.
	)	Place: Courtroom 8, 19th Floor

The compelling urgency regarding Plaintiffs' Application For an Order to Show Cause Regarding Contempt is Defendant's calculated defiance of this Court's Amended Temporary Restraining Order.

Defendant contends that Plaintiffs failed to put it on notice that Plaintiffs would move for contempt. That is incorrect. As set forth in Plaintiffs' moving papers, Plaintiffs had repeated correspondence with Defendant regarding its failure to comply with the Amended TRO with respect to providing members of Plaintiff SkyWest Pilots ALPA Organizing Committee access to the training center – the subject of Plaintiffs' application for an OSC on contempt. In this

1 correspondence, Plaintiffs specifically stated that they would seek contempt if Defendant continued  
2 to defy the Amended TRO on this issue. Attached to the Supplemental Declaration of Linda Lye,  
3 Exhibit I, filed herewith, is a letter sent from Plaintiffs' counsel to Defendant's counsel yesterday,  
4 May 31, 2007, inadvertently omitted from Plaintiffs' moving papers, that expressly placed  
5 Defendant on notice that Plaintiffs would move for contempt if Defendant did not permit Captains  
6 Steve Dow and Phil Alford to make a presentation to the newly hired pilot training session on June  
7 1, 2007.

8 Defendant accuses Plaintiffs of bombarding it with a "constant barrage of letters." The  
9 letters Plaintiffs were required to send were prompted by Defendant's willful refusal to comply with  
10 the Amended TRO in several important respects. Plaintiffs were also required to send letters when  
11 Defendant refused to provide a witness list, or release pilots for witness preparation prior to the  
12 preliminary injunction hearing as the Court provided.

13 Moreover, Defendant has just filed a new oversized opposition brief to Plaintiffs'  
14 preliminary injunction motion. Defendant had filed earlier this week (on May 29, 2007) an  
15 oversized opposition brief with many supporting declarations. As we informed Defendant's  
16 counsel, See Lye Supp. Decl., Exh. J, the Court issued an amended order to make clear that no  
17 additional opposition to Plaintiffs' preliminary injunction motion may be filed, and, accordingly, the  
18 Court shortened the time for Plaintiffs' to file their reply brief, which Plaintiffs are currently  
19 preparing. *See id.*, Exh. K (Court's Amended Scheduling Order of May 29, 2007, Doc No. 66,  
20 deleting opportunity for Defendant to file opposition by June 1, 2007, stating that Defendant's  
21 opposition had already been filed, and shortening time for Plaintiffs' reply from Friday, June 8 to  
22 June 6, 2007).

1 Plaintiffs respectfully request that the Court issue an immediate order to show cause re:  
2 contempt, set the hearing at the earliest possible time, and, after a hearing, find SkyWest in  
3 contempt.

4 Dated: June 1, 2007

Respectfully submitted

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6 LINDA LYE  
7 CLAIRE P. PRESTEL  
Altshuler Berzon LLP

8 ELIZABETH GINSBURG  
Air Line Pilots Association, International

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10 by: \s\Stephen P. Berzon  
Stephen P. Berzon

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